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37 C.F.R. 1.8

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Jack A. ROTH et al.

Serial No.: 08/918,407

Filed: August 26, 1997

For: METHODS AND COMPOSITIONS
COMPRISING DNA DAMAGING
AGENTS AND P53

Group Art Unit: 1636

Examiner: W. Sandals

Atty. Dkt. No.: INRP:050/HYL

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

BOX AF

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner mailed November 22, 1999, finally rejecting claims 1-26, 32-61, 77-79, 83-89, 96-101, 111, 112, 115-120 and 127-130.

The fee for filing this Notice of Appeal is \$300 and is attached hereto.

Also, a request for a three-month extension of time to respond is included herewith. The extension fee is included in the attached check with the Notice of Appeal fee. This three-month

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extension will bring the due date to May 22, 2000. Should such request or fee be deficient or absent, consider this paragraph such a request and authorization to withdraw the appropriate fee.

If the check is inadvertently omitted, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed material, or should an overpayment be included herein, the Assistant Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski Account No.: 50-1212/10012461/01973.

Please date stamp and return the enclosed postcard to evidence receipt of this document.

Respectfully submitted,



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Date: _____

5/22/00